

Amendments to Senate Bill No. 539
3rd Reading Copy

For the House Taxation Committee

Prepared by Jeff Martin
March 30, 2007 (5:12pm)

1. Title, line 6.

Following: "ACCOUNT;"

Insert: "PROVIDING FOR DEPOSITS INTO THE ACCOUNT, INCLUDING A
ONE-TIME TRANSFER FROM THE GENERAL FUND; PROVIDING FOR
PAYMENTS FROM THE ACCOUNT;"

2. Title, line 17.

Following: "TIME;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

3. Title, line 18.

Strike: the first "AND"

Following: "15-15-104,"

Insert: "AND 17-7-502,"

4. Page 5.

Following: line 8

Insert: "(6) Payments out of the account are statutorily
appropriated, as provided in 17-7-502, to the department for
the purposes of subsections (3) through (5)."

5. Page 15, line 22 through page 19, line 16.

Strike: section 10 in its entirety

Renumber: subsequent sections

6. Page 23.

Following: line 20

Insert: "Section 16. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition --
requisites for validity. (1) A statutory appropriation is an
appropriation made by permanent law that authorizes spending by a
state agency without the need for a biennial legislative
appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective,
a statutory appropriation must comply with both of the following
provisions:

(a) The law containing the statutory authority must be
listed in subsection (3).

(b) The law or portion of the law making a statutory
appropriation must specifically state that a statutory
appropriation is made as provided in this section.

(3) The following laws are the only laws containing

statutory appropriations: 2-17-105; 5-11-407; 5-13-403; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-113; 15-1-121; [section 5]; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and sacs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 7, Ch. 314, L. 2005, the inclusion of 23-4-105, 23-4-202, 23-4-204, 23-4-302, and 23-4-304 becomes effective July 1, 2007; and pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010.)"

{Internal References to 17-7-502:

2-17-105	5-11-407	5-13-403	10-2-603
10-3-203	10-3-310	10-3-312	10-3-312
10-3-314	10-4-301	15-1-111	15-1-113
15-1-121	15-23-706	15-31-906	15-35-108
15-36-332	15-37-117	15-38-202	15-38-202
15-65-121	15-65-121	15-70-101	15-70-369
15-70-601	16-11-509	17-1-508	17-3-106
17-3-212	17-3-222	17-3-241	17-6-101
17-7-304	17-7-501	18-11-112	19-3-319
19-6-404	19-6-410	19-9-702	19-13-604
19-17-301	19-18-512	19-19-305	19-19-506
19-20-604	20-8-107	20-9-534	20-9-622
20-26-1503	22-3-1004	23-4-105	23-4-202
23-4-204	23-4-302	23-4-304	23-5-306

23-5-409	23-5-612	23-7-301	23-7-402
37-43-204	37-51-501	39-71-503	41-5-2011
42-2-105	44-1-504	44-12-206	44-13-102
50-4-623	53-1-109	53-6-703	53-24-108
53-24-108	53-24-206	60-11-115	61-3-415
69-3-870	75-1-1101	75-5-1108	75-6-214
75-10-622	75-11-313	77-2-362	80-2-222
80-4-416	80-5-510	80-11-518	82-11-161
87-1-513	90-1-115	90-1-115	90-1-205
90-3-1003	90-9-306}		

Renumber: subsequent sections

7. Page 24, line 17.

Insert: "NEW SECTION. Section 18. General fund transfer -- limitations. (1) Subject to subsection (2), there is a one-time transfer of \$14.5 million from the general fund at the beginning of fiscal year 2008.

(2) In order to maintain an adequate general fund ending fund balance, if the office of budget and program planning projects an unreserved general fund balance of less than \$100 million during any year of the 2009 biennium, the office of budget and program planning may reduce the one-time transfer provided for in subsection (1) by requiring the department of revenue to transfer money from the property tax protest risk management account to the state general fund on a schedule that promotes statewide management goals for cash flow and fund balance."

Renumber: subsequent sections

8. Page 24, line 28.

Strike: "-- contingent voidness" on line 28

9. Page 24, line 29.

Strike: "[" through "are"

Insert: "[this act] is"

10. Page 24, line 30.

Strike: "and" through "void"

11. Page 25, line 1 through line 6.

Strike: subsection (2) in its entirety

Insert: "(2) [Section 18] is effective July 1, 2007."

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